

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. : 3684
Appln. No. : 10/690,203
Filed : October 20, 2003
Art Unit : 3763
Examiner : Manuel A. Mendez
Docket No. : 17249CIPDIV
Title : PHACO THERMAL CONTROL APPARATUS AND METHOD

Response To Office Action Mailed November 14, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the following comments in response to the Office Action mailed on November 14, 2007. Examiner has asserted that claims 12, 13 and 31 (Invention I); claims 14-18 and 36 (Invention II); claims 19-27, 32, and 33 (Invention III); claims 28, 29, 34, and 35 (Invention IV); and claim 30 (Invention V) are related but distinct inventions. Applicant provisionally elects Invention III (claims 28, 29, 34 and 35) without prejudice.

Applicant respectfully asserts that the claims now pending are allowable over the prior. Therefore, Applicant earnestly seeks a notice of allowance and prompt issuance of this application.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 502317.

Respectfully submitted,

Advanced Medical Optics

Dated: December 11, 2007

By: _____

Joseph Liu

Registration No. 51,957

Customer No. 33357

(714) 247-8422